

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Application of:
Yukihisa KATO, et al.

Serial No.: 09/144,851

Filed: September 1, 1998

For: FRUIT VINEGAR FROM RAW...

Atty.'s Docket: KATO 15

Box AF

Examiner: C.E. SHERRER

Washington, D.C.

July 7, 2003

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JUL 10 2003
TC 1700

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202
Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated January 9, 2003 of the Primary Examiner. The claims appealed are 21-24 and 27-31.

The item(s) checked below are appropriate:

☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

☒ The fee has been calculated as shown below:
XXX \$320.00 \$160.00 (small entity)
☐ Not required (fee paid in prior appeal)

☒ Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Response filed within:

☐ first - \$ 55.00

☐ second - \$205.00

☐ third - \$465.00

☐ fourth - \$725.00

month after time period set.

Response filed within:

☐ first - \$ 110.00

☐ second - \$ 410.00

☒ third - \$ 930.00

☐ fourth - \$1,450.00

month after time period set.

☐ Less fees (\$) already paid for month(s) extension of time on.

☒ Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$ 1,250.00 is attached.

☒ Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

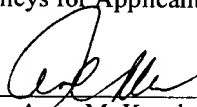
07/06/2003 EPREBY1 00000042 09144851

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01 FC1253

320.00 02
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Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By 
Anne M. Kornbau
Reg. No. 25,884

Telephone: (202) 628-5197

Facsimile: (202) 737-3528

AMK:nmp

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